

NEIL ABERCROMBIE
GOVERNOR



GLENN M. OKIMOTO
INTERIM DIRECTOR

Deputy Directors
JADE T BUTAY
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STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

February 24, 2012

HOUSE BILL NO. 2453
RELATING TO CIVIL IDENTIFICATION

HOUSE COMMITTEE ON FINANCE

The Department of Transportation supports this bill, because it will help bring the State into compliance with Real ID federal requirements and by transferring the responsibility of issuing SID cards to the State and Counties make it more convenient for people who desire to obtain a State Identification card.

Thank you for the opportunity to provide testimony.



NEIL ABERCROMBIE
GOVERNOR



BARBARA A. KRIEG
INTERIM DIRECTOR

DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

February 22, 2012

**TESTIMONY TO THE
HOUSE COMMITTEE ON FINANCE**

For Hearing on Friday, February 24, 2012
11:00 a.m., Conference Room 308

BY

BARBARA A. KRIEG
INTERIM DIRECTOR

House Bill No. 2453
Relating to Civil Identification

TO CHAIRPERSON OSHIRO AND MEMBERS OF THE COMMITTEE:

The purpose of H.B. No. 2453 is to make the Director of Transportation responsible for the non-driver's identification card program for the State of Hawaii and to have the non-driver's identification cards issued by the examiners of drivers in each county to comply with the federal REAL ID Act of 2005, division B of Public Law No. 109-13, by January 15, 2013.

The Department of Human Resources Development has **comments** on the proposed transfer. Staff from the Department of Human Resources Development and staff of the Department of the Attorney General met to discuss the proposed transfer language. We are in agreement to protect the rights and benefits of the employees to be transferred and recommend the following proposed transfer language be used in place of the transfer language in Section 9, lines 6-16 on page 18 of the bill.

"All employees who occupy civil service positions and whose functions are transferred to the department of transportation or the examiner of drivers of the respective counties pursuant to a plan approved by the state and the counties by this Act shall retain their civil service status (permanent or temporary). Employees shall be transferred without loss of salary, seniority, retention points, prior service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws and this Act, provided that the employees possess the minimum qualifications and public employment requirements for the class and/or position to which transferred or appointed, as applicable, provided further that subsequent changes in status may be made pursuant to applicable civil service and compensation laws.

Any employee who, prior to this Act, is exempt from civil service and is transferred as a consequence of this Act, may continue to retain the employee's exempt status, but shall not be appointed to a civil service position because of this Act. An exempt employee who is transferred by this Act shall not suffer any loss of prior service credit, any vacation and sick leave credits previously earned, or other employee benefits or privileges as a consequence of this Act, provided that the employees possess legal and public employment requirements for the position to which transferred or appointed, as applicable; provided that subsequent changes in status may be made pursuant to applicable employment and compensation laws. The director of transportation or the examiner of

drivers of the respective counties pursuant to a plan approved by the state and the counties may prescribe the duties and qualifications of such employees and fix their salaries without regard to chapter 76, Hawaii Revised Statutes."

Thank you for the opportunity to offer comments on this measure.



TESTIMONY OF THE DEPARTMENT OF THE ATTORNEY GENERAL TWENTY-SIXTH LEGISLATURE, 2012

ON THE FOLLOWING MEASURE:

H.B. NO. 2453, RELATING TO CIVIL IDENTIFICATION.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Friday, February 24, 2012

TIME: 11:00 a.m.

LOCATION: State Capitol, Room 308

TESTIFIER(S): David M. Louie, Attorney General, or
Liane M. Moriyama, Administrator, Hawaii Criminal Justice Data Center

Chair Oshiro and Members of the Committee:

The Department of the Attorney General strongly supports this bill, with modifications.

The purpose of this bill is to consolidate the State Identification (ID) program for the State of Hawaii with the driver's license program under the Department of Transportation, and to have a non-driver's identification issued by the examiners of drivers in each county.

Hawaii is unique among the fifty states as the counties, under the general supervision of the Director of Transportation, have been delegated the function of implementing the state driver's license program. Under current law, the Department of the Attorney General issues the non-driver's identification card as a State ID card.

Act 35, Session Laws of Hawaii (SLH) 2011, mandated the Attorney General to work with the Director of Transportation and appropriate county agencies to allow county employees to issue certificates of identification at the same locations where drivers' licenses are issued. The driver's license program has offices throughout the State that handle the initial issuance and/or renewing of licenses. On the other hand, the State ID program has only one office in downtown Honolulu that handles both the initial issuance as well as renewals of the ID cards. On the Neighbor Islands, except for Molokai and Lanai, the Governor's Liaison Offices assist with the issuance and renewals of State ID cards through a Memorandum of Agreement (MOA) between the Office of the Governor and the Department of the Attorney General. For residents on Molokai and Lanai, staff from the Hawaii Criminal Justice Data Center travel to these islands once a year, on a Saturday, to issue new and renewal cards.

From a national perspective, the United States Congress passed the REAL ID Act of 2005. This Act sets forth the documentation required and procedures to be followed in issuing drivers' licenses and non-drivers' identification cards. The REAL ID Act must be implemented by January 15, 2013. A state can then only issue one compliant card, either a driver's license or a non-driver's identification card, to an individual. Drivers' licenses and non-drivers' identification cards that do not comply with the REAL ID Act on or after January 15, 2013, will not be recognized by federal agencies, such as the Transportation Security Administration (TSA), and may not be recognized by other states. Coordination amongst the two programs is critical as the REAL ID Act must be implemented on a timely basis so that Hawaii's citizens are able to travel and to do business with the federal government and other states, with a minimum of inconvenience and disruption of services.

In meetings and conference calls held between the Department of the Attorney General, Department of Transportation, and the county agencies responsible for the issuance of drivers' licenses, the agency representatives concluded that it would be in the best interest of the State of Hawaii to consolidate the issuance of the drivers' licenses and state ID cards under the auspices of the Director of Transportation, as that director is currently responsible for the statewide driver's license program. This will benefit the citizens of Hawaii both from a local perspective in having more locations where they may obtain a state ID card, and from a national perspective in enabling a more coordinated effort in implementing the provisions of the REAL ID Act.

Staff from the Department of the Attorney General and the Department of Human Resources Development met to discuss the wording relating to the transfer of employees. We are in agreement that the following proposed transfer language be used in place of the transfer language in section 9, page 18, lines 6-16:

"All employees who occupy civil service positions and whose functions are transferred to the department of transportation or the examiner of drivers of the respective counties pursuant to a plan approved by the state and the counties by this Act shall retain their civil service status (permanent or temporary).

Employees shall be transferred without loss of salary, seniority, retention points, prior service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws and

this Act, provided that the employees possess the minimum qualifications and public employment requirements for the class and/or position to which transferred or appointed, as applicable, provided further that subsequent changes in status may be made pursuant to applicable civil service and compensation laws. Any employee who, prior to this Act, is exempt from civil service and is transferred as a consequence of this Act, may continue to retain the employee's exempt status, but shall not be appointed to a civil service position because of this Act. An exempt employee who is transferred by this Act shall not suffer any loss of prior service credit, any vacation and sick leave credits previously earned, or other employee benefits or privileges as a consequence of this Act, provided that the employees possess legal and public employment requirements for the position to which transferred or appointed, as applicable; provided that subsequent changes in status may be made pursuant to applicable employment and compensation laws. The director of transportation or the examiner of drivers of the respective counties pursuant to a plan approved by the State and the counties may prescribe the duties and qualifications of such employees and fix their salaries without regard to chapter 76, Hawaii Revised Statutes."

In addition, to be consistent with the transfer of personnel to be made to the Department of Transportation or to the respective counties, we ask that "the department of transportation or" be inserted in section 9, page 17, line 23, after "transferred to".

We respectfully ask the Committee to pass this bill with the recommended amendments.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 2453, RELATING TO CIVIL IDENTIFICATION
PRESENTATION TO THE
COMMITTEE ON FINANCE

BY

MR. RONALD P. HAN
DIRECTOR OF OFFICE OF VETERANS SERVICES

February 24, 2012

Chair Oshiro and Committee members:

I am Ron Han, Director of the Office of Veterans Services (OVS). I appreciate this opportunity to provide testimony and comment in support of House Bill 2453.

This measure makes the director of Transportation responsible for the non-driver's identification card program for Hawaii. New sections to part IV of Hawaii Revised Status, Chapter 286 has been amended and or repealed. The purpose of these actions is to facilitate the enactment of changes required by the REAL ID Act of 2005, which the United State Congress passed.

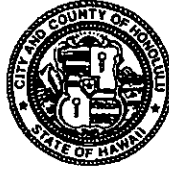
The OVS suggest that these revisions of HRS Chapter 286 include "VETERAN" statues for those individuals who served in the Armed Forces of the United States and were discharged or released under conditions other than dishonorable. The Counties and the OVS have established a relationship to assure Veteran License plates are provided to those who seek them. The same system could be used to verify veteran status. As the Counties will be working on the ID card, adding this requirement should be planned now, assuring that the cards will be available in 2013.

The OVS supports the concepts and intent of this bill as long as its implementation does not impact or replace the priorities set forth in the Executive Supplemental Budget for Fiscal Years 2012-2013.

Thank you for this opportunity to provide testimony on behalf of Hawaii's Veterans and their families in support of HB 2453.

DEPARTMENT OF CUSTOMER SERVICES
CITY & COUNTY OF HONOLULU
DIVISION OF MOTOR VEHICLE, LICENSING AND PERMITS
ADMINISTRATION
P.O. BOX 30300
HONOLULU, HAWAII 96820-0300

PETER B. CARLISLE
MAYOR



GAIL Y. HARAGUCHI
DIRECTOR

DENNIS A. KAMIMURA
LICENSING ADMINISTRATOR

February 22, 2012

The Honorable Marcus Oshiro, Chair
and Committee Members
Committee on Finance
House of Representatives
State of Hawaii
State Capitol, Room 306
Honolulu, Hawaii 96813

Dear Chair Oshiro and Committee Members:

Subject: H.B. No. 2453, Relating to Civil Identification

The City and County of Honolulu has no objections to H.B. No. 2453 which transfers the responsibility of issuing state identification cards to the county driver licensing offices.

We request a minor technical amendment to page 9, lines 16 and 17: "READ ID-compliant driver's or commercial driver's license if a REAL ID-compliant identification card had been previously issued. This amendment is necessary to be in compliance with the federal requirement that only one REAL ID compliant credential (driver license or identification card) may be issued to an individual.

Since the required documents and processing procedures for issuance of a driver's license and a state identification card is similar, the transition should not be difficult to implement. However, the lines at the driver licensing offices will be longer with the corresponding increase in waiting time by the public.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis A. Kamimura".

Dennis A. Kamimura
Licensing Administrator



888 Mililani Street, Suite 601
Honolulu, Hawaii 96813-2991

Telephone: 808.543.0000
Facsimile: 808.528.4059

www.hgea.org

The Twenty-Sixth Legislature, State of Hawaii
Hawaii State House of Representatives

Committee on Finance

Testimony by
Hawaii Government Employees Association
February 24, 2012

H.B. 2453 – RELATING TO CIVIL IDENTIFICATION

The Hawaii Government Employees' Association, AFSCME Local 152, AFL-CIO is providing comments on H.B. 2453. This bill transfers the non-driver's license, or civil identification program from the Department of the Attorney General to the Department of Transportation, and requires that the non-drivers' license identification cards be issued by each county.

While we do not oppose the intent of this bill, our main concern is for the continued employment opportunity, as well as the protection of the rights and benefits, of the employees to be transferred under this legislation.

Please ensure that provisions to protect and maintain affected employees' civil service status, pay, seniority, service credits, retention points, and all other rights and benefits upon transfer remain in the bill.

Thank you for the opportunity to provide comments on H.B. 2453.

Respectfully submitted,

Leiomalama Desha
Deputy Executive Director